

7. ENFORCING THE LAW

We said that we had to keep being tough on criminals, but we had to do some intelligent things. We said that we had to punish people more, but we have to give children something to say yes to, and we've had five years of declining crime rates and last year the biggest drop in violent crime in 35 years.

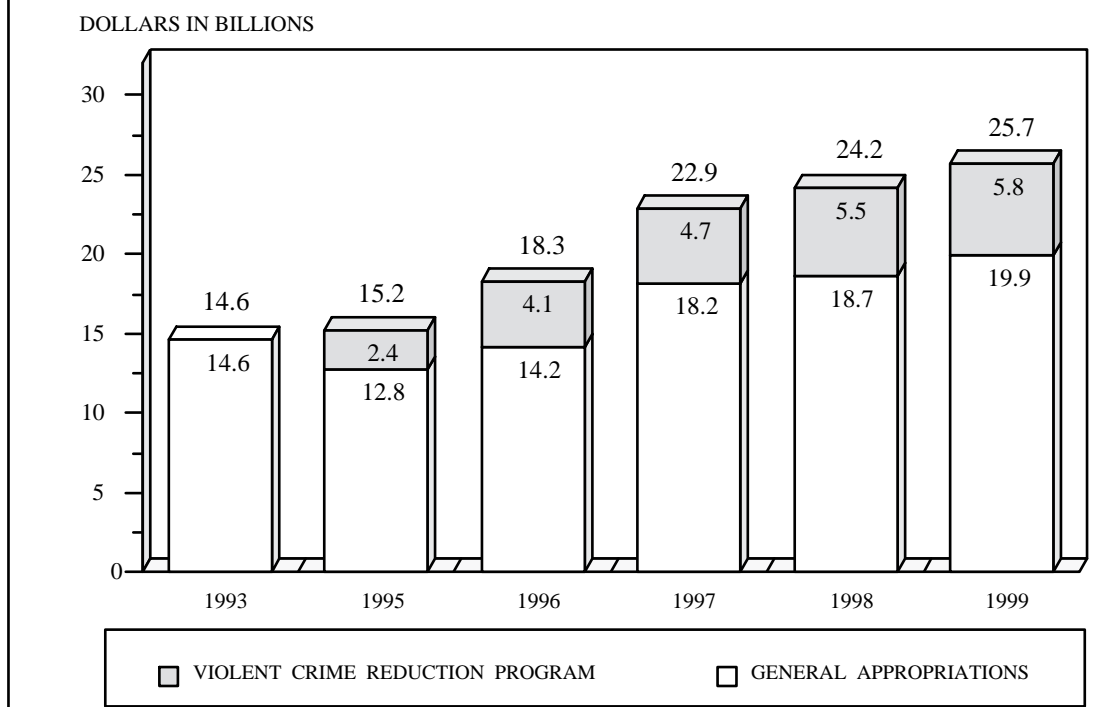
President Clinton
July 1997

Over the past five years, the Administration has made significant progress in cutting crime across the Nation. The strategy has been simple: put more community police officers on the streets to involve citizens in partnerships with the law enforcement authorities; impose punishments that fit the crime for people who break the law; and develop prevention programs to give children alternatives to crime and drugs and a chance for a positive future. The results have been extraordinary—five years of falling crime rates and, in 1996, the biggest drop in violent crime in 35 years.

Although crime remains mainly a State and local responsibility, the last five years show that the Federal Government can play an important role in reducing crime. The budget continues the Administration's aggressive anti-crime efforts, with a particular emphasis on reducing juvenile crime and violence. It builds on the success of community-based efforts such as the Community Oriented Policing Services (COPS) program, which will put 100,000 more police officers on the street by the year 2000, with a new Community Prosecutors Initiative to help prosecutors reorient their emphasis from simply processing cases to addressing quality-of-life issues and preventing crimes from occurring in the first place. The budget also proposes funds to prevent violence against women, help States and Indian Tribes build prisons, and address the growing law enforcement crisis on Indian lands.

The budget strengthens the Administration's aggressive efforts to control illegal immigration by targeting resources to stop those who want to enter the United States illegally, detain and quickly remove those who slip by, and make it harder for illegal immigrants to get jobs. It proposes to strengthen border enforcement in the South and West, increase efforts to identify and remove incarcerated illegal aliens, and expand efforts to verify the employment eligibility of newly hired non-citizens.

The budget also continues the Administration's commitment to combat drug use, particularly among young people. It devotes resources to youth prevention programs in order to change permissive attitudes toward drugs and reverse the trend of increased drug use by youth. The budget proposes to expand programs that stress treatment and prevention, domestic law enforcement, international assistance, and interdiction. It continues to build on the innovative Drug Courts initiative, provides \$50 million for a new School Drug Prevention Coordinators initiative, and proposes \$85 million for drug testing and treatment of those in the criminal justice system. It also provides increased funds for targeted interdiction efforts that enhance port and border security and disrupt drug trafficking overseas. The budget increases spending for drug control efforts by about \$1.1 billion, to \$17.1 billion.

Chart 7-1. DISCRETIONARY ANTI-CRIME BUDGET HISTORY

Fighting Crime

The budget proposes \$25.7 billion to control crime, a \$1.5 billion increase over 1998 (see Chart 7-1). Of the total, \$5.8 billion would go for programs authorized in the 1994 Crime Act, an increase of \$300 million over 1998 (see Table 7-1). While enhancing Federal anti-crime capabilities, the budget seeks to empower States and communities, which play the central role in controlling crime, particularly violent crime.

Community Policing: The cornerstone of the President's program to fight crime, particularly violent crime, is his plan to place 100,000 more police officers on the streets by 2000. Putting the idea of community policing into action, the program seeks to cut crime, violence, and disorder by applying proven, effective programs and strategies. The COPS initiative will fund almost 83,000 more police officers by the end of 1998 and, for 1999, the budget proposes \$1.4 billion to put 16,000 more officers on the street. COPS also enables local law enforcement agencies to buy sophisti-

cated crime equipment and hire support personnel, which, in turn, enable communities to deploy more officers.

Community Prosecutors Initiative: Community prosecution is the natural next step to community policing. The budget provides \$50 million, on a competitive basis, for local prosecutors' offices to work directly with neighborhood residents, join forces with police and other criminal justice agencies to solve local crime problems, and shift their emphasis from simply processing cases to preventing crimes from occurring in the first place.

Law Enforcement on Indian Lands: Homicide and violent crime rates on Indian lands are rising, even as crime rates in the rest of the country fall. Indian lands have only 1.3 police officers per 1,000 citizens, compared with the average of 2.9 officers per 1,000 citizens in non-Indian areas with similar population density. Moreover, jails on Indian lands fall far short of basic standards in such areas as staff and inmate safety. The budget proposes a \$182 million initiative within the Jus-

Table 7-1. VIOLENT CRIME REDUCTION PROGRAM SPENDING BY FUNCTION

(Budget authority, dollar amounts in millions)

	1997 Actual	1998 Estimate	1999 Proposed	Dollar Change: 1998 to 1999	Percent Change: 1998 to 1999
Prevention:					
Violence Against Women	259	415	415		
Drug Courts	30	30	30		
Residential State Prison Drug Treatment	30	63	72	+9	+14%
Drug Testing/Drug Treatment			85	+85	NA
Juvenile Justice Substance Abuse Prevention			5	+5	NA
Other Prevention Programs	34	27	28	+1	+4%
Subtotal, Prevention	353	535	635	+100	+19%
State and Local Assistance:					
Community Policing	1,420	1,430	1,420	-10	-1%
Incarceration of Violent Offenders	670	721	711	-10	-1%
Prosecutors/Violent Youth Courts			210	+210	NA
Incarceration of Undocumented Criminals	330	420	350	-70	-17%
Other State and Local Assistance	789	873	673	-200	-22%
Subtotal, State and Local Assistance	3,209	3,444	3,364	-80	-2%
Federal Law Enforcement Assistance:					
Department of Justice	1,002	1,350	1,609	+259	+19%
Department of the Treasury	89	131	132	+1	+1%
Judicial Branch	30	40	60	+20	+50%
Subtotal, Federal Law Enforcement	1,121	1,521	1,801	+280	+18%
Total, Violent Crime Reduction Program Spending	4,683	5,500	5,800	+300	+5%

NA = Not applicable.

tice and Interior Departments to address the public safety crisis in Indian country by strengthening Indian country law enforcement in such areas as the number of officers per capita and the quality of detention facilities, primarily through anti-crime grants to Indian jurisdictions.

Violence Against Women: Violence against women is a continuing problem. Studies show that law enforcement intervention often breaks the cycle of domestic violence, preventing subsequent incidents. The budget proposes \$415 million to maintain efforts to combat gender-based crime. Funding for these programs will also enable States to further expand outreach

to previously under-served rural, Indian, and other minority populations.

Juveniles: The budget proposes \$291 million for ongoing programs to fight juvenile crime and \$95 million to support more local community prevention programs such as mentoring, truancy prevention, and gang intervention. To prevent young people from becoming involved in the juvenile justice system, the budget expands programs that provide supervised afternoon and evening activities for youth. These programs include \$200 million for community schools, supervision, and youth services grants, an increase of \$40 million over 1998.

Gangs: The President has worked hard to crack down on violent youth gangs and to keep guns out of the hands of criminals and away from children. He launched a tough Anti-Gang and Youth Violence Strategy to help communities hire more prosecutors and probation officers, and to keep schools open later when youth crime rates peak. The budget provides \$100 million for prosecutorial initiatives to target gangs and \$50 million for court-related activities such as more probation and parole officers and special court programs to expedite youth violence and gun cases.

- **Youth Crime Gun Interdiction Initiative:** The budget provides \$28 million to crack down on illegal gun traffickers in 27 cities. Of the \$28 million, \$12 million would go to trace firearms used by youth in crimes and give law enforcement the crucial investigative leads about the sources of these firearms, and \$16 million would go to hire over 160 new agents of the Treasury Department's Bureau of Alcohol, Tobacco, and Firearms to help follow up on these leads.
- **Safe Streets Task Forces:** The budget proposes \$105 million to continue the Safe Streets program, which blends the efforts of the FBI and other Federal law enforcement agencies with those of State and local police departments to investigate street crime and violence.

Crime in Public Housing: The budget also targets violence in public housing, proposing \$310 million to support anti-drug and anti-crime activities, including Operation Safe Home and the One Strike, You're Out program.

- **Operation Safe Home:** The Department of Housing and Urban Development's Offices of Public and Indian Housing and Inspector General jointly administer Operation Safe Home, which brings together residents, managers, and various Federal and local law enforcement agencies to rid public housing communities of crime.
- **One Strike, You're Out:** The President believes that public housing is a privilege, not a right, and residents who commit crime and peddle drugs should be evicted immediately.

Fraud in Agriculture (USDA) Programs: USDA estimates that over \$50 million a year in Food Stamps go illegally to convicted felons and prison inmates, and that a sizable number of retailers who accept Food Stamps make money off of them illegally. The budget includes \$23 million to crack down on fraud and abuse in Food Stamps and other USDA programs, such as child nutrition, rural rental housing, and emergency and disaster assistance payments.

Violent Offenders: The Administration seeks to ensure that convicted violent offenders serve at least 85 percent of their sentences behind bars. The budget proposes \$711 million in State and Tribal grants to build new prisons and jail cells under the Violent Offender Incarceration and Truth in Sentencing (VOI/TIS) Program; the 1999 funding level finances about 9,500 new prison beds. The VOI/TIS proposal also would provide \$150 million to reimburse States for the costs of incarcerating criminal aliens and \$25 million to improve State and local correctional facilities that hold Federal prisoners and detained illegal aliens.

Terrorism: While acts of domestic terrorism have been isolated events, such as the Oklahoma City and World Trade Center bombings, the Administration has sought more Federal resources to ensure the safety and security of the public and the Government from these violent and devastating criminal acts. The budget builds on the President's 1997 Antiterrorism/Counterterrorism/Security initiative by providing \$6.7 billion to combat terrorism, of which \$4.3 billion would support the Defense Department's (DOD) terrorism-related and force protection efforts. While much of the proposed funding continues current terrorism-related programs in physical protection and law enforcement activities, the budget also funds initiatives in the following high-priority areas:

- **Weapons of Mass Destruction Terrorism:** The budget proposes \$16 million for the Justice Department to improve State and local response capabilities to weapons of mass destruction, and increases of \$49 million for DOD domestic preparedness and response capabilities; \$7 million for the Energy Department's emergency response capabilities for nuclear terrorist events; and \$2 million for the Department

of Health and Human Services' Metropolitan Medical Strike Teams, which handle the medical response to an incident involving weapons of mass destruction.

- *Cyber Crime/Critical Infrastructure:* To improve the Government's ability to detect and counter cyber crime and other threats to the Nation's critical infrastructure, the budget proposes \$27 million to enhance the investigative and prosecutorial efforts of the FBI, the U.S. Attorneys, and the Justice Department's Criminal Division, and \$37 million to enable the Justice Department's Counterterrorism Fund to support critical infrastructure protection efforts. The budget also supports DOD's and other agencies' critical infrastructure-related research and development programs.
- *Aviation Security:* The budget provides an increase of over \$110 million to the Federal Aviation Administration for explosives detection security equipment and cargo screening research and development—supporting recommendations of the White House Commission on Aviation Security and Safety.

Technology Improvements: Technology improvements give law enforcement agencies the tools to fight crime. The Communications Assistance for Law Enforcement Act ensures that law enforcement agencies can conduct court-authorized wiretaps as the Nation converts from analog to digital communications technology. With \$114 million available in 1998 to help develop the technology changes to provide this capability, the budget proposes \$100 million in 1999 to continue the effort. The budget also proposes \$100 million to enable the Treasury and Justice Departments to upgrade their wireless communications systems' efficiency, security, and compatibility with the radio systems of State and local public safety agencies.

Meeting the Challenges of Immigration

The Administration has sought to control our Nation's borders and stop illegal entry. Working through the Immigration and Naturalization Service (INS), it has reversed decades of neglect with an aggressive border control strategy. Since 1993, the Administra-

tion has added over 3,800 new Border Patrol agents—almost doubling the agent workforce—and introduced innovative border deterrents and advanced technology to stop illegal entry along the Nation's Southwest border.

As a Nation of immigrants, the United States will continue to welcome those who seek legal entry and refugees who seek protection. In 1997, the Nation welcomed nearly one million new naturalized U.S. citizens. INS is redesigning the naturalization process to meet the challenges of processing over a million new applications for citizenship a year in a way that ensures uncompromising integrity.

Since 1993, working with Congress, the Administration has increased INS funding by 148 percent. The budget, which proposes \$4.2 billion for INS, 10 percent more than in 1998, continues to support efforts to advance border control, improve illegal alien detention and removal capabilities, and achieve efficient processing of those seeking citizenship (see Table 7-2).

Border Control and Enforcement: By the end of 1998, Border Patrol agents will number over 7,800, a 98-percent increase over the 3,965 who patrolled the Nation's 5,000 miles of border in 1993. With more agents needed to fill enforcement gaps and enhance Border Patrol presence along the Southwest border—especially in border States like Texas, New Mexico, and Arizona—the budget proposes to add 1,000 new Border Patrol agents (see Chart 7-2).

The budget maintains the Administration's commitment to "force-multiplying" technologies, including ground sensors, high-resolution color and infrared cameras, and state-of-the-art command centers, which will increase the effectiveness of these agents and enable INS to better control the border. Agents will be able to shift their focus from observing the border to responding to known border incursions and raiding smuggler operations and holding areas. Multi-year funding for these force-multiplying technologies will have the equivalent effect of adding over 1,300 agents to the Southwest border.

The budget provides funds to expand border fencing and barriers, install permanent light-

**Table 7-2. IMMIGRATION AND NATURALIZATION SERVICE
FUNDING BY PROGRAM**

(Budget authority, dollar amounts in millions)

	1993 Actual	1997 Actual	1998 Estimate	1999 Proposed	Dollar Change: 1998 to 1999	Percent Change: 1998 to 1999
Appropriated Funds:						
Border Patrol	354	730	877	998	+121	+14%
Investigations and intelligence	142	254	269	305	+36	+13%
Land border inspections	83	151	168	182	+14	+8%
Detention and deportation	161	476	428	554	+126	+29%
Program support and construction	227	564	600	684	+84	+14%
Subtotal, Appropriated Funds	967	2,175	2,342	2,723	+381	+16%
Fee Collections and Reimbursements:						
Citizenship and benefits	308	626	787	827	+40	+5%
Air/sea inspections and support	255	355	427	486	+59	+14%
Immigration support		11	242	152	-90	-37%
Subtotal, Fee Collections and Reimbursements	563	992	1,456	1,465	+9	+1%
Total, Immigration and Naturalization Service resources	1,530	3,167	3,798	4,188	+390	+10%

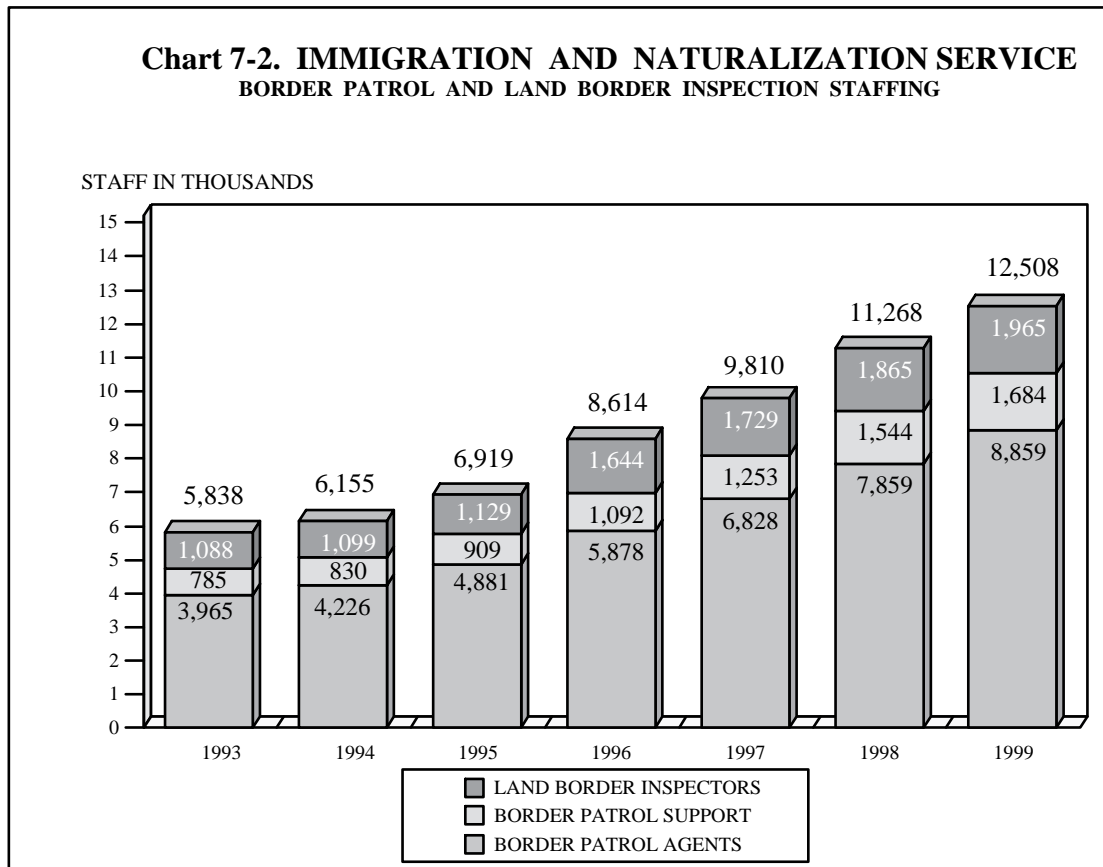
ing, and construct support roads along the Southwest border. These deterrents help control the border by increasing the chances that Border Patrol agents will apprehend those trying to enter illegally. Since 1993, INS has added over 189 infrared night scopes, 4,675 ground sensors, 63 miles of fencing, and 17 miles of border lighting, and has added or improved over 1,000 miles of roads to help control drug trafficking, alien smuggling, and illegal entry. The budget provides funds for another nine miles of border lighting and additional fencing, and for maintaining border deterrents now in place.

Border Patrol and Detention Construction: Over the past year, INS has focused on meeting its infrastructure needs by building more Border Patrol stations, border enforcement checkpoints, and detention facilities. The budget supports INS' construction program by providing funds to build and renovate eight Border Patrol stations, construct four new highway checkpoint systems and a rail yard

inspection facility, and expand detention capabilities at four facilities.

Detention and Removal of Illegal Aliens: The Administration is committed to removing those who have entered the country illegally. With the resources of the past two years, INS has focused on removing criminal aliens held in Federal, State, and local facilities to ensure these criminals are not allowed back on the street. In 1997, INS removed 111,794 aliens, including 50,165 criminal aliens. It estimates that it will remove over 127,300 aliens in 1998, and 134,900 in 1999. The budget supports INS' detention program by proposing a \$90.8 million increase for facility, transportation, and bedspace improvements to detain and swiftly remove those who have entered illegally.

State and Local Alien Incarceration: Through the State Criminal Alien Assistance Program (SCAAP), the President has provided unprecedented help to reimburse State and local governments for the costs of incarcerating illegal criminal aliens. In 1997, the Federal



Government provided \$500 million to reimburse 47 States and over 200 localities—covering most costs associated with incarcerating aliens in non-Federal facilities. The budget continues this commitment, providing \$500 million for reimbursements. The Federal Government plans to ensure that States and localities receiving SCAAP funds fully cooperate with INS in its efforts to expedite criminal alien removals.

Citizenship and Benefits: INS estimates that with so many more people now seeking to naturalize, the Nation will welcome about a million new citizens a year over the next few years. To process new applications, INS is reengineering the naturalization process and plans to have significant pieces of its redesigned system in place by spring 1998. It will ensure that applicants are: (1) given accurate and timely information; (2) processed through the system correctly; and (3) adjudicated swiftly and fairly. The system will also ensure that INS is handling each case—from initial request through oath-taking—responsively and

with uncompromising integrity. INS also plans an extensive community outreach effort that will target immigrant population centers to ensure that they are served efficiently.

Organization and Structure: The final report of the Commission on Immigration Reform called for major changes in how the Federal Government sets and implements immigration policy. In particular, it urged a separation of the enforcement and benefit functions that INS now performs.

The Administration has studied these and other reform proposals and is developing a plan to enhance immigration law enforcement while improving the delivery of immigration services and benefits. It recognizes that enforcement and benefits are interrelated and, thus, neither should be addressed without the other in mind. The plan, however, will make Federal immigration activities more efficient and effective by separating enforcement and benefit and service operations—both in headquarters and in the field—thereby strengthening accountability and lines

of authority. In addition, the plan will enhance coordination among Federal agencies involved in immigration and establish greater accountability within each agency. Together, these reforms within individual agencies and across the Government will support and sustain the Administration's progress over the last five years in enforcing our immigration laws and fulfilling the Nation's commitment to its immigration heritage.

Combating Drug Abuse and Drug-Related Crime

Drug use and drug-related crime cost our society about \$67 billion a year¹ and poison the schools and neighborhoods where our youth strive to meet their full potential. Illicit drug trafficking thrives on a culture of crime, violence, and corruption throughout the world. Drug use is a major contributing factor in the spread of AIDS and other deadly diseases. All Americans, regardless of economic, geographic, or other position in society, feel the effects of drug use and drug-related crime.

The budget proposes \$17.1 billion for drug control programs, a seven-percent increase over 1998, including increases for all elements of the fight against drug use, such as drug treatment and prevention, especially for children and adolescents; domestic law enforcement; international programs; and interdiction (see Table 7-3).

Community-Based Prevention: The budget proposes \$2.4 billion for drug prevention pro-

grams, 12 percent more than in 1998. Although drug use among youth fell steadily, and dramatically, in the 1980s, teenage drug use has since increased and anti-drug attitudes have softened—due partly to drug glamorization in the media and highly publicized drug legalization efforts. The Administration remains committed to sending a single “no use” message to America's youth.

- *National Youth Anti-Drug Media Campaign:* The Office of National Drug Control Policy, in conjunction with other Federal, State, local, and private experts, is developing a \$195 million national media campaign, including paid advertisements, targeting youth and their parents on the consequences of illicit drug use. Anti-drug messages have already aired in 12 target cities and on the Internet.
- *Safe and Drug Free Schools and Communities Program:* Students can reach their full potential only in safe, disciplined learning environments. The Safe and Drug Free Schools and Communities program helps 97 percent of school districts implement anti-drug and anti-violence programs in schools. The budget proposes \$556 million for this program, including \$125 million in competitive grants to high-need areas that use proven program designs.
- *School Drug Prevention Coordinators:* The budget provides \$50 million for a new School Drug Prevention Coordinators program to ensure that half of the Nation's middle schools will have a knowledgeable director of drug and violence prevention programs. These coordinators will ensure that local programs are effective and link

¹“Substance Abuse: The Nation's Number One Health Problem,” Key Indicators for Policy, Institute for Health Policy, Brandeis University (1993).

Table 7-3. DRUG CONTROL FUNDING

(Budget authority, dollar amounts in millions)

	1997 Actual	1998 Estimate	1999 Proposed	Dollar Change: 1998 to 1999	Percent Change: 1998 to 1999
Demand reduction	4,943	5,376	5,867	+491	+9%
Supply reduction	10,090	10,601	11,203	+602	+6%
Total, Drug Control Funding	15,033	15,977	17,070	+1,093	+7%

school-based prevention programs to community-based programs.

- *Drug Free Communities Act:* The budget proposes \$20 million for activities under this Act, which helps increase citizen participation in our efforts to reduce substance abuse among youth and provides funds to help community anti-drug coalitions carry out their important missions.

Drug Intervention: The budget proposes \$3.4 billion to treat drug abuse, seven percent more than in 1998. The Administration realizes that an effective treatment system must confront drug abuse where the challenge is the hardest—in the streets of urban, suburban, and rural drug markets, and in the criminal justice system. Closing the treatment gap between those who could benefit from substance abuse treatment and the current capacity of the public treatment system remains a top priority. These chronic drug users consume a disproportionate amount of illicit drugs and inflict a disproportionate share of drug-related costs on society.

- *Substance Abuse Treatment:* The budget provides \$3.4 billion for substance abuse treatment activity, seven percent more than in 1998. The increase is based not only on the need to close the treatment gap, but on a body of evidence showing that treatment is the most cost-effective way to reduce drug abuse. These efforts will enable hundreds of thousands of pregnant women, high-risk youth, and other under-served Americans to get drug treatment services.
- *Drug Courts:* The budget proposes \$30 million for Drug Courts. In an effort to break the cycle of drugs, crime, and violence, these courts present an alternative to incarceration for people who commit non-violent crimes and express a desire to participate in, and would benefit from, rehabilitative drug treatment. Drug Courts encourage serious commitment to the treatment process through graduated sanctions such as increased drug-testing and supervision, and, when necessary, incarceration.

Domestic Drug Law Enforcement: The budget proposes \$8.8 billion for drug-related

domestic law enforcement, four percent more than in 1998, to help bolster community-based law enforcement efforts, shield the Southwest border from illicit drugs, target major domestic organizations trafficking in heroin, and enhance coordination among Federal, State, and local law enforcement agencies. The budget proposes an increase of \$13 million, or 30 percent, for the Drug Enforcement Agency (DEA) to enhance domestic anti-heroin efforts. The Federal Government will continue its focus on providing leadership and training; facilitating multi-agency cooperative efforts through the High Intensity Drug Trafficking Areas program, the Southwest border initiative, and other efforts; and offering incentives to States and localities to use the most effective drug control methods.

- *Methamphetamine:* Methamphetamine is quickly becoming the growth drug of the 1990s. The DEA trains its agents, as well as State and local law enforcement agencies, to seize clandestine methamphetamine laboratories. The budget proposes to continue the DEA's anti-methamphetamine efforts with a \$25 million increase, more than doubling the 1998 figure.

International Programs and Interdiction: The Administration's comprehensive approach to combating drug use includes an enhanced international strategy, making it harder for drug-criminals to smuggle illicit drugs into the United States. The budget includes funds to upgrade interdiction efforts along the Southwest border and in the Caribbean, and to provide heightened assistance to foreign governments to curtail drug cultivation and production.

- *Source Nation Efforts:* Internationally, the United States focuses primarily on interdiction in source countries and transit zones, disrupting the drug organizations and their production, marketing, and money laundering structures. The budget proposes to increase funding for counter-narcotics programs in Peru to \$50 million, 66 percent more than in 1998, to continue illicit coca crop eradication efforts and support alternative crop development. It proposes increased funding for counternarcotics programs in Colombia to \$45 million, 50 percent more than in 1998, to

continue enhanced coca, opium poppy, and marijuana crop eradication efforts. And it proposes \$247 million, 20 percent more than in 1998, to provide training, logistics, equipment, intelligence, and communications support to source nations, mainly Columbia, Peru, and Bolivia.

- *Southern Tier of the United States:* The Administration remains committed to shielding the Nation's Southern tier from the drug threat. The budget proposes to

enhance the Customs Service's border enforcement efforts at land and sea ports-of-entry by providing \$54 million for advanced technology, which includes automated targeting systems and non-intrusive inspection systems, to improve narcotics interdiction. The budget further solidifies the interdiction effort by providing \$104 million for another 1,000 border patrol agents and an increase of \$36 million, or nine percent over the 1998 level, for the Coast Guard's interdiction activities.